COMPLETE LISTING OF ALL CLAIMS IN THE APPLICATION

1-55 (canceled).

55. (currently amended) A DNA construct comprising the promoter of the *B. vulgaris* V-ATPase subunit c in isoform 2 (SEQ ID NO:1), operatively linked with a heterologous gene.

56-58 (canceled).

59. (previously added) The DNA construct as claimed in claim 55, which additionally comprises a second promoter which can be regulated in a different manner than the first promoter.

60. (previously added) The DNA construct as claimed in claim 55, which is an expression cassette.

61. (previously added) The DNA construct as claimed in claim 55, wherein the heterologous gene, is a selection marker or a resistance-mediating gene or a gene of other medicinal, agronomical or other interest.

62. (currently amended) A polynucleotide comprising the sequence of the promoter of *B. vulgaris* V-ATPase subunit c isoform 2 set forth in SEQ ID NO: 1.

63. (previously added) A recombinant vector which additionally comprises the construct as claimed in claim 55.

64. (currently amended) The recombinant vector as claimed in claim 63, which is a shuttle vector.

65. (currently amended) The recombinant vector as claimed in claim 63, which is an

expression vector.

66. (currently amended) A microorganism which is transformed with the recombinant vector as claimed in claim 63.

67. (previously added) A transgenic plant cell or transgenic protoplast whose genome encompasses the DNA construct as claimed in claim 55.

68. (currently amended) The transgenic plant cell or transgenic protoplast as claimed in claim 67 obtained from a monocotyledonous plant.

69. (currently amended) The transgenic plant cell or transgenic protoplast as claimed in claim 67 obtained from a dicotyledonous plant.

70. (previously added) The transgenic plant whose genome additionally comprises the construct as claimed in claim 55.

71. (currently amended) The transgenic plant as claimed in claim 70, which is a monocotyledonous plant.

72. (currently amended) The transgenic plant as claimed in claim 70, which is a dicotyledonous plant.

73. (currently amended) The transgenic plant as claimed in claim 70, which is sugar beet, tobacco, barley, rice, potato, sunflower, soya, tomato, *Canola*, wheat, oilseed rape, sorghum, carrot, maize, *Mesemranthemum crystallinum* or *Arabidopsis thalinana*.

74. (currently amended) A method for the expression of a heterologous gene, in a plant cell or a protoplast, which comprises transforming the cell or the protoplast

with the DNA construct as claimed in claim 55 and subsequently exposing the transformed cell or the protoplast to a stress that controls the expression of the heterologous gene, which has been introduced by means of the DNA construct.

75. (currently amended) The method as claimed in claim 74, wherein the plant cell or the protoplast is obtained from a monocotyledonous plant.

76. (currently amended) The method as claimed in claim 74, wherein the plant cell or the protoplast is obtained from a dicotyledonous plant.

77. (currently amended) The method as claimed in claim 74, wherein the plant cell or the protoplast is obtained from sugar beet, tobacco, barley, rice, potatoes, sunflowers, soya, tomatoes, *Canola*, wheat, oilseed rape, sorghum, carrots, maize, *Mesembranthemum crystallinum* or *Arabidopsis thalinana*.

78. (currently amended) A method for the expression of a heterologous gene in a plant, which comprises regenerating cells or protoplasts transformed with the DNA construct as claimed in claim 55 to produce a transgenic plant and subsequently exposing the plant transformed in this way to a stress that controls the expression of the heterologous gene which has been introduced by means of the DNA construct.

79. (currently amended) The method as claimed in claim 78, wherein the transgenic plant is a monocotyledonous plant.

80. (currently amended) The method as claimed in claim 78, wherein the transgenic plant is a dicotyledonous plant.

81. (currently amended) The method as claimed in claim 78, wherein the transgenic plant is sugar beet, tobacco, barley, rice, potatoes, sunflowers, soya, tomatoes, *Canola*, wheat, oilseed rape, sorghum, carrots, maize, *Mesembranthemum crystallinum* or *Arabidopsis thalinana*.

82. (previously added) A method for producing a recombinant protein, which comprises transforming a plant cell or a protoplast with the DNA construct as claimed in claim 55 and subsequently exposing the transformed cell or the protoplast to a stress which causes the DNA-construct to express the recombinant protein.

83. (currently amended) The method as claimed in claim 82, wherein the plant cell or the protoplast is obtained from a monocotyledonous plant.

84. (currently amended) The method as claimed in claim 82, wherein the plant cell or the protoplast is obtained from dicotyledonous plant.

85. (currently amended) The method as claimed in claim 82, wherein the plant cell or the protoplast is obtained from sugar beet, tobacco, barley, rice, potatoes, sunflowers, soya, tomatoes, *Canola*, wheat, oilseed rape, sorghum, carrots, maize, *Mesembranthemum crystallinum* or *Arabidopsis thalinana*.

86. (previously added) A method of producing a recombinant protein in a plant, which comprises regenerating cells or protoplasts transformed with a DNA construct as claimed in claim 55 to produce a transgenic plant and subsequently exposing the resulting transgenic plant to a stress which causes the DNA-construct to express

94 (canceled).

95. (currently amended) The method as claimed in claim 93, wherein at least one further pyrimidine stretch is inserted into the promoter.

96. (currently amended) A plant cell or protoplast, which plant cell or protoplast is transformed with the DNA construct as claimed in claim 55 and is resistant to stress, as a result of the expression of the DNA construct.

97. (currently amended) A plant cell or protoplast, which plant cell or protoplast is transformed with the DNA construct as claimed in claim 55 and is resistant to salt stress, as a result of the expression of the DNA construct.

98. (previously added) A plant which is transformed with the DNA construct as claimed in claim 55 and which is resistant to stress, as a result of the expression of the DNA construct.

99. (previously added) The plant which is transformed with a DNA construct as claimed in claim 55 and which is resistant to salt stress, as a result of the expression of the DNA construct.

100. (new) A DNA construct comprising a functional equivalent of the *B. vulgaris* V-ATPase subunit c promoter in isoform 2 (SEQ ID NO:1), operatively linked with a heterologous gene.

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